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HOUSE FISCAL AGENCY

124 N. Capitol Avenue
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HB4057 AS INTRODUCED

Sponsor
Committee

Rep. Patricia Birkholz
SENIOR HEALTH, SECURITY
AND RETIREMENT

Analyst(s) Schneider, Bob
Peterson, Marilyn

Completed 4/23/01

State Fiscal Impact

Local Fiscal Impact

Cost Indeterminate/Increase
Revenues Indeterminate/Increase

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Revenues Indeterminate/Increase

The bill would require nursing homes, homes for the aged, and county medical care facilities to run criminal background checks on employees, independent contractors, and persons granted clinical privileges within the facility. It would also prohibit a facility from employing or contracting with an individual that has been convicted of a felony or an attempt or conspiracy to commit a felony within the previous fifteen years or of certain types of misdemeanors against a vulnerable adult within the previous ten years. Persons applying for employment or to provide contractual services to a facility would have to give written consent for the Department of State Police or other authorized law enforcement agency to conduct a criminal history check. The costs of the check are to be borne by the facility. The bill establishes that an applicant who provides false information to a facility regarding his or her criminal history is guilty of a misdemeanor punishable by up to 90 days imprisonment and a fine of up to \$500, or both. Finally, the bill requires the Department of Consumer and Industry Services to develop and distribute a model form for a statement of prior criminal convictions at no cost to facilities.

The criminal history check requirement would increase costs to the Department of State Police and to local law enforcement agencies. These costs, however, would be accompanied by increased revenues from any fees charged to facilities for this service. For information purposes, the Department of State Police currently charges \$15 for a state criminal history check based on the fingerprints of the individual (a federal check can be conducted for an additional \$24 by the FBI). The penalty provisions for providing false information could increase both local incarceration costs and local fine revenue. Finally, the Department of Consumer and Industry Services would bear new costs related to developing the model form required under the bill.